

10/01/06

SUM-1

STATE OF TENNESSEE  
SULLIVAN COUNTY  
SUMMONS

Wanda Rena Christian  
and Doris Brice

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LAW COURT, PART (T) (H)  
AT (BLOUNTVILLE) (BRISTOL)  
(KINGSORT), TENNESSEE

CIVIL ACTION NO. C404124 (C)

VS  
Auto-Owners Insurance Company  
PO Box 30660  
Kansas City, MO 64108

NOTICE

TO THE DEFENDANT(S):

Tennessee law provides a four thousand dollar (\$4,000) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary, however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed, these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

TO THE ABOVE NAMED DEFENDANT (S):

You are hereby summoned and required to serve upon R. Wayne Culbertson,  
plaintiff's attorney, whose address is 117 W. MARKET ST. KINGSORT TN 37066  
an answer to the complaint which

is herewith served upon you within thirty (30) days after service of the summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Tested this \_\_\_\_\_ day of \_\_\_\_\_, Issued this 18th day of November, 2013.

TOMMY R. KERNS

Received this \_\_\_\_\_ day of \_\_\_\_\_

Deputy Sheriff

RETURN

I certify and return that I:

☐ served this summons together with the complaint as follows:

☐ failed to serve this summons within thirty (90) days after its issuance because:

Date \_\_\_\_\_

Deputy Sheriff

☐ accept service

I, \_\_\_\_\_ hereby accept service of process in this case as fully and in all respects, as though I had been personally served by a Deputy Sheriff of Sullivan County, and I acknowledge that I received a copy of the summons and complaint in this case.

This the \_\_\_\_\_ day of \_\_\_\_\_,

Defendant

EXHIBIT

A

## **NOTICE**

In accordance with the Americans with Disabilities Act (ADA) the Tennessee (TN) Judicial Branch does not permit discrimination against anyone on the basis of physical or mental disability in accessing its judicial programs. If necessary, reasonable modifications will be provided for qualified persons with disabilities to access programs, services or activities.

If you require a modification to access a judicial program and/or have special needs because of a qualified disability, you must submit a written Request for Modification to the Local Judicial Program ADA Coordinator listed below at least five (5) business days prior to the date of the judicial program, if possible. A form is available from the local Judicial Program ADA Coordinator or from the TN Judicial Program ADA Coordinator at <http://www.tsc.state.tn.us>.

If you need assistance or further information or have questions, please contact either of the following judicial ADA coordinators:

**LOCAL** - Tommy Kerns  
Circuit Court Clerk  
Sullivan County Justice Center  
Blountville, TN. 37617  
(423) 279-2752

**TN** - Julie K. Taylor  
511 Union Street, Suite 600  
Nashville, TN 37219  
(615) 741-2687 or  
(800) 448-7970  
[adacoordinator@tscmail.state.tn.us](mailto:adacoordinator@tscmail.state.tn.us)

The TN Judicial Branch ADA Policy Regarding Access to Judicial Programs may be found online at [www.tsc.state.tn.us](http://www.tsc.state.tn.us).

**IN THE CIRCUIT COURT FOR SULLIVAN COUNTY**  
**AT KINGSFORT, TENNESSEE**

WANDA RENA CHRISTIAN and  
DORIS BRICE,

Plaintiffs,

vs.

AUTO-OWNERS INSURANCE COMPANY,

Defendant.

**Jury Demanded**

**COMPLAINT**

1. The plaintiffs are citizens and residents of Sullivan County, Tennessee, and the defendant, Auto-Owners Insurance Company, is a foreign corporation doing business in the State of Tennessee. The plaintiffs were issued a policy of insurance, policy number 114619-03062197-11, that said policy was to cover the dwelling located at 2600 Princeton Road, Kingsport, Tennessee 37660, other structures, personal property, and loss of use. A premium was paid and pursuant thereto a policy of insurance was issued to the plaintiffs; a copy of said deck sheet is attached.

2. On January 31, 2013, the plaintiffs sustained damages to their property and contents located at 2600 Princeton Road, Kingsport, Tennessee 37660 as a result of a fire.

3. The plaintiffs, pursuant to the terms of the policy, gave proper notice as required by said policy of insurance and complied in all particulars with the terms and conditions of the policy; however, as of this date they have not been paid pursuant to the terms of the policy.

4. The plaintiffs allege and aver that the defendant has intentionally breached the contract, that it has not dealt in good faith with the plaintiffs, that the defendant has taken the plaintiffs' money for premiums and has willfully refused to pay damages that they have incurred even though the same has been submitted to the insurance company for many months.

The plaintiffs further aver the defendant is guilty of deceptive trade practices, all of which are in violation of the Consumer Protection Act of the State of Tennessee; thereby, entitling the

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plaintiff to treble damages.

WHEREFORE, PLAINTIFF REQUESTS:

1. That process issue.
2. That the plaintiffs be awarded the amounts due under the policy of insurance.
3. That the plaintiffs be awarded damages pursuant to Tennessee Code Annotated 56-7-105, Additional liability upon insurers and bonding companies for bad-faith, failure to pay promptly.
4. That the plaintiffs be awarded pre-judgment interest.
5. The plaintiffs be awarded damages pursuant to the Consumer Protection Act which include treble damages and attorney fees.
6. The plaintiffs demand a jury to hear this cause.
7. Such other and further relief.

HEREBY CERTIFY THIS  
IS A TRUE AND CORRECT  
COPY OF THE ORIGINAL  
FILED IN THIS CAUSE

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*January R. Hance*  
CIRCUIT COURT CLERK

WANDA RENA CHRISTIAN and  
DORIS BRICE, Plaintiffs

By:

*R. Wayne Culbertson*  
R. WAYNE CULBERTSON, BPR #765  
Attorney for Plaintiff  
119 W. Market Street  
Kingsport, Tennessee 37660  
(423) 247-6161 – Telephone  
(423) 247-5072  
[rwc@wayneculbertsonlaw.com](mailto:rwc@wayneculbertsonlaw.com)

COST BOND

We acknowledge ourselves sureties for the payment of all costs of this cause.

*R. Wayne Culbertson*  
R. WAYNE CULBERTSON